

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE DAVID DIAZ FERNANDEZ

DEBTOR

CASE NO. 23-01946/MCF

CHAPTER 13

**DEBTOR'S NOTICE OF FILING OF AMENDED SCHEDULES "I" and "J"**  
**OFFICIAL FORMS 106I & 106J**

**TO THE HONORABLE COURT:**

**COMES NOW, JOSE DAVID DIAZ FERNANDEZ**, the Debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. The Debtor is hereby submitting ***Amended Schedule "I" and "J"***, dated December 5, 2023, herewith and attached to this motion.
2. The amended Schedules "I" and "J" is filed **to reflect Debtor's actual income and expenses and include business income and expenses sheet**, in the above captioned case.

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 1009(B)**

**Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

## **CERTIFICATE OF SERVICE**

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using CM/ECF system which will send notice of same to the Chapter 13 Trustee, the US Trustee's Office, and to all CM/ECF participants; I also certify that a copy of this notice was sent via regular US mail to the Debtor and to all creditors and interested parties appearing in the master address list (CM/ECF non-participants), hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 5<sup>th</sup> day of December, 2023.

**/s/Roberto Figueroa Carrasquillo**

USDC #203614

RFIGUEROA CARRASQUILLO LAW OFFICE PSC

ATTORNEY FOR THE DEBTOR

PO BOX 186 CAGUAS PR 00726

TEL. NO. 787- 744-7699/787-963-7699

EMAIL: [rfe@rfigueroalaw.com](mailto:rfe@rfigueroalaw.com)

**Fill in this information to identify your case:**Debtor 1 JOSE DAVID DIAZ FERNANDEZDebtor 2  
(Spouse, if filing)United States Bankruptcy Court for the: DISTRICT OF PUERTO RICOCase number 3:23-bk-1946  
(If known)

Check if this is:

☒ An amended filing☐ A supplement showing postpetition chapter 13 income as of the following date:MM / DD / YYYY**Official Form 106I****Schedule I: Your Income**

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Describe Employment****1. Fill in your employment information.**

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

**Employment status****Occupation****Employer's name****Employer's address****How long employed there?****Debtor 1**☒ Employed☐ Not employed**Debtor 2 or non-filing spouse**☐ Employed☐ Not employedSelf employee Part-time food sales**Part 2: Give Details About Monthly Income**

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

**For Debtor 1****For Debtor 2 or  
non-filing spouse**

2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.

2. \$ 0.00 \$ N/A

3. Estimate and list monthly overtime pay.

3. +\$ 0.00 +\$ N/A

4. Calculate gross income. Add line 2 + line 3.

4. \$ 0.00 \$ N/A

	For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here .....	4. \$ 0.00	\$ N/A
<b>5. List all payroll deductions:</b>		
5a. Tax, Medicare, and Social Security deductions	5a. \$ 0.00	\$ N/A
5b. Mandatory contributions for retirement plans	5b. \$ 0.00	\$ N/A
5c. Voluntary contributions for retirement plans	5c. \$ 0.00	\$ N/A
5d. Required repayments of retirement fund loans	5d. \$ 0.00	\$ N/A
5e. Insurance	5e. \$ 0.00	\$ N/A
5f. Domestic support obligations	5f. \$ 0.00	\$ N/A
5g. Union dues	5g. \$ 0.00	\$ N/A
5h. Other deductions. Specify: _____	5h. \$ 0.00	\$ N/A
<b>6. Add the payroll deductions.</b> Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6. \$ 0.00	\$ N/A
<b>7. Calculate total monthly take-home pay.</b> Subtract line 6 from line 4.	7. \$ 0.00	\$ N/A
<b>8. List all other income regularly received:</b>		
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a. \$ 1,529.17	\$ N/A
8b. Interest and dividends	8b. \$ 0.00	\$ N/A
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c. \$ 300.00	\$ N/A
8d. Unemployment compensation	8d. \$ 0.00	\$ N/A
8e. Social Security	8e. \$ 0.00	\$ N/A
8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____	8f. \$ 0.00	\$ N/A
8g. Pension or retirement income	8g. \$ 0.00	\$ N/A
8h. Other monthly income. Specify: _____	8h. \$ 0.00	\$ N/A
<b>9. Add all other income.</b> Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9. \$ 1,829.17	\$ N/A
<b>10. Calculate monthly income.</b> Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10. \$ 1,829.17 + \$ N/A = \$ 1,829.17	
<b>11. State all other regular contributions to the expenses that you list in Schedule J.</b> Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____		
		11. +\$ 0.00
<b>12. Add the amount in the last column of line 10 to the amount in line 11.</b> The result is the combined monthly income. Write that amount on the <i>Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data</i> , if it applies		12. \$ 1,829.17
		<b>Combined monthly income</b>
<b>13. Do you expect an increase or decrease within the year after you file this form?</b>		
<input checked="" type="checkbox"/> No.		
<input type="checkbox"/> Yes. Explain: _____		



**Fill in this information to identify your case:**

Debtor 1 JOSE DAVID DIAZ FERNANDEZ

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO

Case number: 3:23-bk-1946  
(If known)

Check if this is:

- ☒ An amended filing  
☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY**Official Form 106J****Schedule J: Your Expenses**

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Describe Your Household****1. Is this a joint case?**

- ☒ No. Go to line 2.  
☐ Yes. Does Debtor 2 live in a separate household?  
☐ No  
☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household of Debtor 2*.

**2. Do you have dependents?** ☐ No

Do not list Debtor 1 and Debtor 2.

Do not state the dependents names.

☒ Yes. Fill out this information for each dependent.....**Dependent's relationship to Debtor 1 or Debtor 2****Dependent's age****Does dependent live with you?**

Son

16

☒ No  
☐ Yes

Son

9

☒ No  
☐ Yes☐ No  
☐ Yes☐ No  
☐ Yes**3. Do your expenses include expenses of people other than yourself and your dependents?** ☒ No  
☐ Yes**Part 2: Estimate Your Ongoing Monthly Expenses**

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

**Your expenses****4. The rental or home ownership expenses for your residence.** Include first mortgage payments and any rent for the ground or lot.4. \$ 400.00**If not included in line 4:**

4a. Real estate taxes

4a. \$ 0.00

4b. Property, homeowner's, or renter's insurance

4b. \$ 0.00

4c. Home maintenance, repair, and upkeep expenses

4c. \$ 0.00

4d. Homeowner's association or condominium dues

4d. \$ 0.00**5. Additional mortgage payments for your residence, such as home equity loans**5. \$ 0.00**6. Utilities:**

6a. Electricity, heat, natural gas

6a. \$ 54.39

6b. Water, sewer, garbage collection

6b. \$ 30.00

6c. Telephone, cell phone, Internet, satellite, and cable services

6c. \$ 75.00

6d. Other. Specify: \_\_\_\_\_

6d. \$ 0.00

7. Food and housekeeping supplies	7. \$	190.78
8. Childcare and children's education costs	8. \$	0.00
9. Clothing, laundry, and dry cleaning	9. \$	0.00
10. Personal care products and services	10. \$	27.13
11. Medical and dental expenses	11. \$	20.00
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12. \$	90.00
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13. \$	0.00
14. Charitable contributions and religious donations	14. \$	0.00
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a. \$	0.00
15b. Health insurance	15b. \$	0.00
15c. Vehicle insurance	15c. \$	0.00
15d. Other insurance. Specify: _____	15d. \$	0.00
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: <u>Taxes</u>	16. \$	71.87
17. Installment or lease payments:		
17a. Car payments for Vehicle 1	17a. \$	495.00
17b. Car payments for Vehicle 2	17b. \$	0.00
17c. Other. Specify: _____	17c. \$	0.00
17d. Other. Specify: _____	17d. \$	0.00
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, <i>Schedule I, Your Income</i> (Official Form 106I).	18. \$	200.00
19. Other payments you make to support others who do not live with you. Specify: _____	\$	0.00
20. Other real property expenses not included in lines 4 or 5 of this form or on <i>Schedule I: Your Income</i> .		
20a. Mortgages on other property	20a. \$	0.00
20b. Real estate taxes	20b. \$	0.00
20c. Property, homeowner's, or renter's insurance	20c. \$	0.00
20d. Maintenance, repair, and upkeep expenses	20d. \$	0.00
20e. Homeowner's association or condominium dues	20e. \$	0.00
21. Other: Specify: _____	21. +\$	0.00
22. Calculate your monthly expenses		
22a. Add lines 4 through 21.	\$	1,654.17
22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2	\$	
22c. Add line 22a and 22b. The result is your monthly expenses.	\$	1,654.17
23. Calculate your monthly net income.		
23a. Copy line 12 ( <i>your combined monthly income</i> ) from Schedule I.	23a. \$	1,829.17
23b. Copy your monthly expenses from line 22c above.	23b. -\$	1,654.17
23c. Subtract your monthly expenses from your monthly income. The result is your <i>monthly net income</i> .	23c. \$	175.00
24. Do you expect an increase or decrease in your expenses within the year after you file this form? For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?		
<input type="checkbox"/> No.		
<input checked="" type="checkbox"/> Yes.	Explain here: NONE	

In re JOSE DAVID DIAZ FERNANDEZ

Case No. 3:23-bk-1946

13

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

1. Gross Income For 12 Months Prior to Filing:

\$ 0.00

## 2. Gross Monthly Income

\$ 1836.67

## 3. Net Employee Payroll (Other Than Debtor)

S 0.00

#### 4. Payroll Taxes

## 5. Unemployment Taxes

## 6. Worker's Compensation

## 7. Other Taxes

8. Inventory Purchases (including raw materials)

307.50

### 9. Purchase of Feed/Fertilizer/Seed/Spray

10. Rent (Other than debtor's principal residence)

## 11. Utilities

## 12. Office Expenses and Supplies

### 13. Repairs and Maintenance

#### 14. Vehicle Expenses

## 15. Travel and Entertainment

## 16. Equipment Rental and Leases

17. Legal/Accounting/Other Professional Fees

## 18. Insurance

19. Employee Benefits (e.g., pension, medical, etc.)

20. Payments to Be Made Directly By Debtor to Secured Creditors For Pre-Petition Business Debts (Specify):

### DESCRIPTION

TOTAL

21. Other (Specify):

DESCRIPTION

TOTAL

22. Total Monthly Expenses (Add items 3-21)

\$ 307.50

23. AVERAGE NET MONTHLY INCOME (Subtract item 22 from item 2)

\$	1529.17
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**Fill in this information to identify your case:**

Debtor 1 JOSE DAVID DIAZ FERNANDEZ  
First Name Middle Name Last Name

Debtor 2  
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO

Case number 3:23-bk-1946  
(if known)

☒ Check if this is an amended filing

Official Form 106Dec

**Declaration About an Individual Debtor's Schedules**

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**Sign Below**

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person \_\_\_\_\_ Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X JOSE DAVID DIAZ FERNANDEZ  
Signature of Debtor 1

Date 12/05/2023

X \_\_\_\_\_  
Signature of Debtor 2

Date \_\_\_\_\_



Label Matrix for local noticing  
0104-3  
Case 23-01946-MCF13  
District of Puerto Rico  
Old San Juan  
Tue Dec 5 11:21:19 AST 2023

BANCO POPULAR DE PUERTO RICO  
BANKRUPTCY DEPARTMENT  
PO BOX 366818  
SAN JUAN PR 00936-6818

Coop A/C San Jose  
PO Box 2020  
Aibonito, PR 00705-2020

Lmminc  
1401 N Central Expy  
Richardson, TX 75080-4669

JOSE DAVID DIAZ FERNANDEZ  
SECT PARACOCHEIRO 37 CAMINO LOS CRUCES  
SAN JUAN, PR 00926-9520

ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

COOP A/C SAN JOSE  
JOSE A SANTINI BONILLA ESQ  
PO BOX 552  
AIBONITO, PR 00705-0552

Banco Popular de Puerto Rico  
PO Box 362708  
San Juan, PR 00936-2708

DEPARTMENT OF TREASURY  
SECTION OF BANKRUPTCY 424-B  
PO BOX 9024140 SAN JUAN PR, 00902-4140

Safe Home Security  
1125 Middle St  
Middletown, CT 06457-1686

MONSITA LECAROS ARRIAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

(p)PUERTO RICO TELEPHONE COMPANY DBA CLARO PR  
PO BOX 360998  
SAN JUAN PR 00936-0998

Departamento de Hacienda  
PO Box 9024140  
San Juan, PR 00902-4140

Safehome Sec  
1125 Middle St  
Middletown, CT 06457-1686

OSMARIE NAVARRO MARTINEZ  
CHAPTER 13 TRUSTEE  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Claro  
PO Box 360998  
San Juan, PR 00936-0998

End of Label Matrix  
Mailable recipients 15  
Bypassed recipients 0  
Total 15